

**UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA**

FRED H. KELLER, JR., <i>et al.</i>)	8:10cv270-LSC-FG3
)	
Plaintiffs,)	
)	
v.)	
)	
CITY OF FREMONT,)	
)	
Defendant.)	
)	
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MARIO MARTINEZ, JR., <i>et al.</i>)	4:10cv3140-LSC-FG3
)	
Plaintiffs,)	
)	
v.)	
)	
CITY OF FREMONT, <i>et al.</i>)	
)	
Defendants.)	

MARTINEZ PLAINTIFFS' MOTION FOR ATTORNEY'S FEES AND EXPENSES

Plaintiffs Mario Martinez, Jr., Paula Mercado, Martin Mercado, Jane Doe, Maria Roe, Steven Dahl, ACLU Nebraska Foundation, United Food and Commercial Workers Union Local 293 (formerly Local 22), and Blake Harper hereby move the Court for an order pursuant to 42 U.S.C. § 3613(c)(2), 42 U.S.C. § 1988(b), and Federal Rule of Civil Procedure 54(d)(1)-(2), awarding reasonable attorney's fees and costs in the total amount of \$709,245.07. This Motion

is supported by the following documents filed herewith: the Brief in Support of *Martinez* Plaintiffs' Motion for Attorney's Fees and Expenses, as well as the declarations of Kenneth J. Sugarman, Jennifer Chang Newell, Alan Peterson, Terry Wittler, Amy Miller, Ernest J. Galvan, and Edward H. Tricker, and exhibits thereto. The Motion is also supported by the papers and other materials already on file with the Court in this action, which are incorporated herein by reference.

Plaintiffs are entitled to the relief requested because they prevailed in this litigation and the amount of attorney's fees and expenses they request is reasonable.

WHEREFORE, Plaintiffs move the Court for an order awarding Plaintiffs reasonable attorney's fees and expenses in the amount of \$709,245.07.

Dated this 23rd of March, 2012

Respectfully submitted,

Mario Martinez, Jr., et al., Plaintiffs

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CERTIFICATE OF SERVICE

I hereby certify that on March 23rd, 2012, I electronically filed the foregoing *Martinez* Plaintiffs' Motion for Attorney's Fees and Expenses with the Clerk of the Court for the United States District Court for the District of Nebraska using the CM/ECF system. All participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

/s/ Kenneth J. Sugarman
Kenneth J. Sugarman